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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,085	12/15/2003	Tsuyoshi Kamitani	04536.029001	3275

22511 7590 03/27/2006

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EXAMINER

MOE, AUNG SOE

ART UNIT PAPER NUMBER

2618

DATE MAILED: 03/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/736,085

Applicant(s)

KAMITANI, TSUYOSHI

Examiner

Aung S. Moe

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>see attached</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, it is unclear how “a kind” recited in lines 3, 12 and 15 is related to “a kind” recited in line 2? If there is the same “kind”, please change “a kind” recited in lines 3, 12 and 15 to - - said kind - -.

Regarding claim 1, it is unclear how “a kind of operation” recited in lines 13, 16, 19 and 23 related to “a kind of operation” recited in line 7? If there are the same “kind of operation” please change “a kind of operation” recited in lines 13, 16, 19 and 23 to - - said kind of operation - - respectively.

Regarding claim 2-4, it is noted that claims 2-4 corresponding to claim 1 and contain similar problem as discussed above, please correct the similar problem in claims 2-4 as suggested by Examiner as above.

Due to the (112) rejection as discussed above, claims 1-4 are given broadest reasonable interpretation for the purpose of rejections.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Itabashi et al. (U.S. 4,731,654) in view of Yamamoto Katsuhisa (Translation of JP 05-197470).

Regarding claim 1, Itabashi '654 receiving device receiving a signal transmitted from an external transmission device (i.e., noted the external device such as elements 24/26 as shown in Figs. 1-4; see col. 3, lines 40+) to execute an operation of a kind corresponding to the kind of the received signal (i.e., noted the kind of received signals provided by the external device 24/26 for adjusting contrast, brightness, hue, and color of the receiver device as discussed in col. 3, lines 50+), comprising:

a receiving unit receiving a signal (i.e., noted the television receiver as shown in Fig. 1) transmitted from said external transmission device (24/26);

a converting unit converting the signal received by said receiving unit into a kind of operation which said receiving device must execute (i.e., noted the receiver's computer 19/20 can convert the signals received from the external device 24/26 for adjusting contrast, brightness, hue, and color of the receiver device; see col. 3, lines 50+, Fig. 3 and col. 6, lines 25+);

a first storage unit storing kinds of said received signals and kinds of operations to be executed in accordance with the kinds of said received signals by said receiving unit in

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association with each other (i.e., noted the memory 21/23 for storing the kinds of operation to be executed based on the received signals from the external device 24/26; see col. 3, lines 55+, col. 4, lines 5+ and col. 5, lines 50+); a storage changing unit changing (i.e., noted that computer 19/20 can change the contents of the storage unit 21/23; see col. 3, lines 40+, col. 4, lines 20+ and col. 5, lines 45+), based on a request from said transmission device (24/26), a correspondence in said first storage unit between a kind of said received signal and a kind of operation to be executed in accordance with the kind of said received signal (i.e., noted the correspondence in the storage unit 21/23 between the received signal from the external device 24/26 and the operation to be executed in the receiver as discussed in col. 5, lines 1+ and col. 6, lines 25);

a second storage unit (Fig. 2, noted the memory 20/31) storing a kind of signal, among the kinds of said received signals, of which correspondence with a kind of operation should not be changed (i.e., noted that the preset value stored in the memory 20/31 cannot be change; see col. 6, lines 15-25), wherein said converting unit converts (i.e., noted the computer 19/20 as shown in Fig. 1; see col. 3, lines 45+ and col. 4, lines 64+) the signal received by said receiving unit into a kind of operation based on said correspondence in said first storage unit (21/23).

Furthermore, it is noted that Itabashi '654 does not explicitly show that "if said request from said external transmission device is intended to change the kind of signal stored in said second storage unit, of which correspondence with the kind of operation should not be changed, said storage changing unit announces, before changing the correspondence in said first storage unit, that the correspondence should not be changed".

However, the above-mentioned claimed limitations are well known in the art as evidenced by Yamamoto '470. In particular, Yamamoto '470 teaches wherein if said request from said external transmission device (Fig. 1; element 4) is intended to change the kind of signal stored in said second storage unit (i.e., noted the multiple storage units as shown in Fig. 3; see paragraphs 0011+), of which correspondence with the kind of operation should not be changed, said storage changing unit announces, before changing the correspondence in said first storage unit, that the correspondence should not be changed as required by present claimed invention (i.e., noted the announcement is provided to show the user that changes cannot be performed; see paragraphs 0006, 0017 and 0021).

In view of the above, having the system of Itabashi '654 and then given the well-established teaching of Yamamoto '470, it would have been obvious to one having ordinary skill in the art at the time of the invention was made modify the system of Itabashi '654 as taught by Yamamoto '470, since Yamamoto '470 stated in paragraphs 0024 that such a modification would allow the user to storing new data without updating original data at the time of updating so that useless actuation can be prevented easily.

Regarding claims 2-4, it is noted that claims 2-4 are corresponding to claim 1 as discussed above, thus, claim 1 is rejected for the same reason as discussed above for claim 1 (see above).

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Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Following references are related to present claimed invention:

5,757,414 US005434626A US005157496A US006757030B2

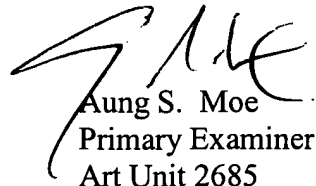
US 20050190295A1 US005434626A US005774187A US006037969A

US 20020113896A1

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aung S. Moe whose telephone number is 571-272-7314. The examiner can normally be reached on Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Aung S. Moe
Primary Examiner
Art Unit 2685

A. Moe
March 20, 2006